IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO.18494 OF 2006

Date of decision : November 27, 2006

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Makbara Miran Sahib Pirkhana Committee, ...Petitioner
Near Stadium, Bathinda

Vs.

State of Punjab & others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. A.P.S Deol, Advocate for the petitioner(s).

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Viney Mittal, J. (Oral)

Notice of motion to the respondents no. 1 to 3 only at this stage.

On the asking of the Court, Mr. Sukhdip Singh Brar, Additional Advocate General, Punjab accepts notice on behalf of the official respondents. Copies of the writ petition have been supplied to the learned counsel for the respondents.

The grievance of the petitioner-Committee is that on the basis of the directions issued by an Inspecting Judge of this Court on March 23, 2001, police protection had been provided to the respondents no. 4 & 5.

The aforesaid police protection is being availed of by the aforesaid respondents till date. According to the petitioner-Committee, the police protection is being misused by respondents no. 4 & 5 and, in any case, is no more required to be continued.

Keeping in view the averments made in the present petition and without going into the merits of the claim made by the petitioner, we dispose of the present petition with a direction to the senior Superintendent of Police, Bhatinda to review the threat perception, if any, to the respondents no. 4 & 5 and if after such review any police protection is still required to be made available to the aforesaid respondents, the same shall be continued in accordance with law. However if after review, it is found that no further protection is required by the aforesaid respondents, then the same shall be withdrawn. Needless to say, the aforesaid review shall be conduced by the Senior Superintendent of Police, Bhatinda after affording an opportunity of hearing to the aforesaid respondents and a representative of the petitioner-Committee also. The requisite steps in this regard shall be taken within a period of 4 months from the date a certified copy of this order is received.

Copy of the order be given dasti on payment of the usual charges.

(VINEY MITTAL)
JUDGE

November 27, 2006
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(H.S BHALLA)
JUDGE